

## **REMARKS/ARGUMENTS**

This Response to Non-Final Office Action is responsive to the Office Action mailed to Applicants on September 12, 2007. This Response, and an accompanying request for a ONE MONTH EXTENSION of time, is filed within four months of the mailing date of the Office Action.

Applicants respectfully request reconsideration in view of the arguments set forth fully below.

### **Objection Because of Informalities**

The Examiner objected to claims 7 and 11 for including the language "the communication link," which has no antecedent basis. The language of claim 7 has been changed to "the communication interface," which has antecedent basis. The applicants respectfully assert that an objection is no longer appropriate, and this objection should be withdrawn with respect to claim 7. The applicants respectfully assert that claim 11 includes no such language and therefore the objection should be withdrawn with respect to claim 11.

### **Rejections under 35 U.S.C. § 112**

The Examiner asserts that, in the integrated console controller of claim 1, "an audio-visual input interface, coupled to the housing, for receiving input from the local user to the control circuitry to control audio or visual characteristics of an external display" is not reasonably conveyed in the specification. The applicants respectfully disagree.

At page 7, of the specification, for example, the controller is described as having such functionality: "The term 'controller' generally describes any device capable of receiving control inputs... from a user of a console of a game system... and capable of providing a set of outputs that can be coupled to a display element..."

Anyone of ordinary skill in the art of playing with a console would immediately recognize that "a device capable of receiving control inputs from a user and capable of providing sets of outputs that can be coupled to a display element" does indeed describe "an audio-visual input interface for receiving input from a local user to control circuitry to control audio or visual characteristics of an external display." Since this language is directly quoted from the specification, the applicants respectfully assert that they had possession of the claimed invention at the time the application was filed and meet the written description requirement.

The Examiner asserts that "an audio/video output interface, coupled to the housing, through which the local user provides input associated with control of the television," which is claimed as part of "control circuitry" in claim 21, is not reasonably conveyed in the specification. The applicants respectfully disagree.

At page 7, of the specification, for example, the controller is described as having such functionality: "The term 'controller' generally describes any device capable of receiving control inputs... from a user of a console of a game system... and capable of providing a set of outputs that can be coupled to... a television."

As just described with reference to claim 1, the applicants had possession of the claimed invention at the time the application was filed and meet the written description requirement.

The applicants respectfully assert that, given the near word-for-word description in the specification of the claimed elements identified by the Examiner, that the 112 rejection was inappropriate, and respectfully request the 112 rejection be withdrawn.

**Rejections under 35 U.S.C. § 102****The Prior Art (Sawano)**

U.S. Patent No. 6,544,126 (Sawano), apparently teaches a portable game machine with download capability (Title). The Examiner describes multiple characteristics of the portable game machine. Notably, however, the Examiner and Sawano fail to disclose a controller input interface and a console input interface that are functionally integrated.

Contrary to the Examiner's assertion at page 5 of the Office Action, a portable game machine is not necessarily an integrated console controller. In order for a portable game machine to actually be an integrated console controller, it must integrate a controller input interface and a console input interface.

Indeed, Sawano use as the standard example, a GAME BOY portable game machine. "The communication port is used to get game data and the like..." (1:37-43). After a careful reading of Sawano, the applicants have found no mention of an integrated console controller.

Also, although Sawano discloses a "network game," Sawano fails to disclose the use of an external display device for networked portable game machines. Therefore, Sawano does not disclose both the network interface and the audio-visual interface, as in claim 1.

**The Prior Art Distinguished (Sawano)**

The Examiner relies upon Sawano to reject Claims 1-15 as being anticipated under 35 U.S.C. § 102(e). To anticipate a claim, a reference must teach each and every element of the claim.

Claim 1 includes the language:

control circuitry, coupled to the housing, having capabilities of a console and a controller;

a player input interface coupled to the housing for receiving input from a local user to the control circuitry to control actions associated with a multiplayer game;

an audio-visual input interface, coupled to the housing, for receiving input from the local user to the control circuitry to control audio or video characteristics of an external display device, wherein the controller input interface and the console input interface are functionally integrated;

a network interface coupled to the housing, wherein network connectivity is provided via the network interface to enable the local user to play the multiplayer game with at least one remote user over a network.

Since Sawano does not disclose a player input interface integrated with an audio-visual interface for controlling an external display device, claim 1 is allowable over Sawano. In addition, Sawano does not disclose both an audio-visual interface and a network interface to enable a local user to play with a remote user. Claim 1 is therefore allowable over Sawano.

Claims 2-15, which depend from claim 1, are allowable at least for depending from an allowable base claim and potentially for other reasons as well.

### **Rejections under 35 U.S.C. § 103**

Claim 21 includes the language:

a television;

a network;

a workstation, coupled to the network, capable of running a contest between a local user and a remote user;

a remote server, coupled to the workstation via the network, wherein, in operation, the remote server scores the contest between the local user and the remote user;

a remote device associated with the remote user, coupled to the workstation via the network;

an integrated console controller, including:

a housing with a hand-held form factor having a removable storage interface, wherein, in operation, a removable storage element is coupled to the integrated console controller via the removable storage interface;

an interface device, coupled to the housing, capable of coupling the integrated console controller to the television, the workstation, and a supplemental console;

control circuitry, coupled to the housing, comprising:

memory storing software,

a secure processor capable of executing or interpreting at least some instructions in the software, and capable of controlling operation of the software, whereby only authorized software can be executed or interpreted, wherein, in operation, the removable storage element includes information necessary for the authorization of the software,

a player input interface, coupled to the housing, through which the local user provides input associated with control of the workstation,

an audio/video output interface, coupled to the housing, through which the local user provides input associated with control of the television.

As was explained with reference to claim 1, the Examiner fails to point out in Sawano where there is disclosure of an integrated console controller. Specifically, in claim 21, the integrated console controller includes "a player input interface... through which the local user provides input associated with control of the workstation" and "an audio/video output interface... through which the local user provides input associated with control of the television." Although Sawano mentions that a display may be a television, as is shown in the figures and explained in the text, the display device is coupled to a video

game machine and **not** to a portable game device. See, e.g., FIGS. 1, 2, 9 (note that there is no television in FIG. 10) and col. 7, lines 16-21. Moreover, no suggestion that the portable game device controls the display, much less the television display, is provided.

The Examiner broadly states that since servers are known, it would have been a matter of choice for Sawano to introduce a server for scoring a contest between a local user and a remote user. However, Sawano fails to disclose such a server. Moreover, the game device that includes the game cartridge provides game data to devices that do not have cartridges. There is no mention of a server that is given any control over the game. Indeed, the requirement that the portable game machine that has the cartridge to control the game environment teaches away from granting control to a server. Since the Examiner is relying upon knowledge that is outside the scope of the Sawano reference, the applicants respectfully request the Examiner withdraw the rejection or provide an affidavit to support this assertion.

Claims 18-19, 22, which depend from claim 21, are allowable at least for depending from an allowable base claim.

### **New Claim**

The applicants respectfully assert that claim 22 is allowable over the cited prior art for reasons at least similar to those described above. Claim 22 is nearly identical to claim 3, and therefore introduces no new matter.

### **Conclusion**


The applicants respectfully assert that the Examiner must specifically point out and describe an integrated console/controller in the prior art of record and provide an affidavit if necessary, or withdraw the rejections.

No new subject matter has been added by way of the above amendments. For the reasons given above, the applicants respectfully submit that Claims 1-15, 18-19, 21-22

are in a condition for allowance. The applicant respectfully requests that all rejections be withdrawn and the application be allowed at the earliest date possible. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at 650-838-4305 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,  
Perkins Coie LLP

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